

Original paragraph [22] is more specific as to the function of the transportation device as “a ski-lift, in particular as a T-bar lift and as a lift of sledges, bob-sleighs, snow tubes, or the like.” Paragraph 23 further describes the possible forms for the transportation means as follows:

“Moreover, transportation and or support means are provided preferably on the transportation rope. Preferably, supporting straps, fastening bows, fastening knobs and/ or the like are used.”

The schematic depictions of the transportation means 9, which were added to the drawings to fulfill requirements for illustrating all of the claimed features, are simple arc segments attached to the transportation rope. Only straight line segments could be simpler, but these would have been less suggestive of the described transportation means. The specification supports more detailed depictions of the transportation means in forms, such as known T-bars, supporting straps, fastening bows, or fastening knobs. These transportation means are not new to the art, as they are well known to skiers, ski-lift operators, and ski-lift designers. The depictions of the disclosed transportation means 9 as the simple arc segments in the drawing figures do not add anything new to the disclosure and are merely suggestive of the wide variety of transportation means already disclosed in the specification and well known in the art.

Novelty Rejection

Claims 1 and 10 stand rejected as being anticipated by US Patent 6,152,044 to Bouvier, whose German counterpart (DE 696 07 479) was described in the related art section of the subject specification.

The invention is intended as an improvement over ski-lifts of the type disclosed by Bouvier. The Bouvier type of ski-lift of requires several small driving or deflection pulleys at the driving or return stations of the lift. Deflection pulleys are provided both at the height of the transportation level and at the height of the return run. This is disadvantageous since a great number of deflection pulleys and bearings are required, and reliability is reduced due to the side-lining or side-tracking of the transportation rope using small diameter pulleys.

The claimed invention is fundamentally different. For example, claim 1 requires a single driving wheel at the driving station and a single deflection pulley at the deflection station.

Bouvier's lift requires multiple driving pulleys at his driving station and multiple deflection pulleys at his return/deflection station. There is no implicit or explicit disclosure in Bouvier that Bouvier's pulley combinations at both stations should be replaced by a single driving wheel at one station and a single deflection pulley at the other station or that at least one of the single driving wheel and the single deflection pulley should be suspended as an adjustable cantilever.

Obviousness Rejections

Claims 7-9 stand rejected as being obvious over the same US Patent 6,152,044 to Bouvier. The Examiner admits that Bouvier is silent with respect to the subject matter of claims 7 and 8 but regards the limitations of these claims as nothing more than the application of routine skill to discover optimum values.

However, the optimization of the pulleys of Bouvier is not the same as the optimization of the pulleys of the claimed invention since the underlying pulley structures are so different.

Bouvier's ski-lift is an example of a type of ski lift whose pulleys have already been optimized for their specific configuration, and this size is not comparable to the size claimed for the subject invention. Two optimizations can only be expected to yield the same result if the structures being optimized are the same. In this instance, Bouvier requires multiple pulleys at each of two stations, whereas the claimed invention requires a single pulley at each station. One of skill in the art could not reasonably assume that pulleys optimized for use in Bouvier's ski lift would be the same as those optimized for the novel pulley arrangement of the claimed invention.

Claims 1 and 7-10 stand rejected as being obvious over US Patent 4,611,452 to Pivarumas.

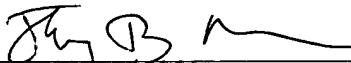
Pivarumas discloses a portable towing device scaled for portability and personal use. The driving station involves a pulley complex including two pulleys, one connected to a motor drive shaft and the other connected through a linkage to the motor actuator. Pivarumas's drive pulleys work together to drive a cable when lifted by a skier. The claimed invention requires a single drive pulley at a driving station. Moreover, it is the claimed single pulley of the drive station or the claimed single pulley of the deflection station that is required to be suspended as an adjustable cantilever. There is no evidence in Pivarunas that the support pulley 4 of Pivarunas is suspended as an adjustable cantilever. Even if the entire return station of Pivarunas is adjustable in height, such as by sinking its anchor pin to different depths, there is no evidence that the cantilever supporting

the pulley 4 has any adjustability. Moving the support to which a cantilever is anchored does not make the cantilever itself adjustable any more so than moving a bookcase would make its bookshelves adjustable.

Regarding claims 7 and 8, the optimization of a portable ski tow for personalized use cannot be expected to produce the same dimensional results as the optimization of a commercial ski lift to which the invention of claims 7-9 is directed. Moreover, the different configuration of the Pivarunas's driving arrangement cannot be expected to yield the same results as the optimization of the transportation design of the claimed invention. Pivarunas's portable lift is also not appropriate for use with the claimed transportation means of claim 9, which on a return path could interfere with the intended transport of a skier.

In view of the above, reconsideration and allowance of pending claims 1 and 7-10 are respectfully requested. For any questions concerning these remarks or the application, the Examiner is invited to contact applicant's representative at the telephone number listed below.

Respectfully submitted,



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